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COMPENSATION COMMISSION
GOVERNING COUNCIL

Decision concerning the priority of payment and payment mechanism for the third phase of payment taken by the Governing Council of the United Nations Compensation Commission at its 96th meeting, held on 15 June 2000 at Geneva

The Governing Council,

Recalling its intention as stated in decision 73 (S/AC.26/Dec.73 (1999)), to consider, before the end of the second phase of payment, the rules that will apply for making further payments on those claims in categories "D", "E" and "F" that will have unpaid balances once the second phase of payment has been completed, as well as the amounts of such payments,

Recalling also, its willingness as stated in decision 73, to consider the special circumstances pertaining to successful environmental monitoring and assessment claims and, in this context, to consider addressing the level and priority to be made in respect of such claims,

1. Decides that, notwithstanding paragraph 6 of decision 17 (S/AC.26/Dec.17 (1994)), and after the payments provided for in decision 73 have been made, the funds available to the Commission for the payment of claims will be allocated as follows:

(a) Successful claimants in categories "D", "E" and "F" will receive an initial amount of US$5 million (minus the amounts received in the second phase of payment) or the unpaid principal amount of the award, if less;

(b) Subsequent payments of US$10 million (or the unpaid principal amount of the award, if less) will be made to successful claimants in categories "D", "E" and "F" in the order in which they have been approved;

(c) Payments will be made to successful claimants in the order in which their claims have been approved provided that all initial payments of newly approved claims will have priority over subsequent payments;

(d) If upon payment of the amounts referred to in sub-paragraphs (a) and (b) above on any claim, that claim will have a remaining balance of US$100,000 or less, the Executive Secretary may pay the full remaining balance of the claim;

(e) Successful environmental monitoring and assessment claims will be given priority in payment of the above-mentioned amounts;

(f) Payments under the third phase will be made every four months for distribution among successful claimants;

2. Decides also that, in due course, the Governing Council will consider a further payment mechanism, if appropriate.